



June 5, 2018

Submitted via <http://apps.fcc.gov/ecfs/>

Commission's Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: CG Docket No. 17-59
Advanced Methods to Target and Eliminate Unlawful Robocalls

To Whom It May Concern:

Encore Capital Group, Inc. (along with its subsidiaries, collectively referred to as "Encore") applauds the Commission's efforts to create a reassigned number database so as to avoid intrusive calls to the wrong consumers, and to avoid the waste of resources and potential legal exposure callers face due to a lack of information about reassigned numbers. Below are our comments regarding the various proposals the Commission has outlined.

A Reassigned Number Database Should be Readily Available at Low or No Cost

We support the creation of a reassigned numbers database mandated by the Commission. There already exist commercial products, but the products come at a cost to companies and may not be complete because service providers are not required to submit updates to such commercial databases.

A Commission-mandated database can help callers and consumers alike, so long as the information is readily available and is provided free of charge or at a nominal cost. In short, this should not become a commercial, for-profit product. If the information is restricted or costly, companies will be unable to take full advantage of such a database.

Whether the Commission or a data vendor creates and manages the database, the information should be managed by an expert in the area of reassigned numbers. To be current, the data should be updated and released at regular periods, such as once per week.



Service Providers Should be Required to Update the Database

It is critical that, for the database to be complete, service providers are required to update the database at least once per week. Today, because reporting is not mandatory, not all service providers issues reassigned number data and commercial products therefore have incomplete information. As part of any mandatory framework, service providers should be given an efficient method to systematically update the reassigned number data.

There Should be a Safe Harbor Associated with Using a Reassigned Number Database

There should certainly be a safe harbor from TCPA liability for those callers that choose to use a reassigned numbers database – whether one created by the Commission or an existing commercial solution. Callers that use a database spend resources to comply in good faith with the law’s requirements and only contact the right consumers. Calling a reassigned number shortly after having checked for reassigned numbers in a database, which database did not identify the number as reassigned, should provide the caller with a safe harbor from crippling TCPA liability. Such a safe harbor also will incentivize callers to use a reassigned numbers database, which will result in fewer wrong calls to consumers.

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Thank you for your efforts to protect consumers from unwanted calls to the wrong number, and at the same time to ensure that consumers continue to receive legitimate that provide important account and other information. Please don’t hesitate to let us know if you have any questions about our comments and suggestions, or need further information.

Respectfully submitted,

/s/ Sheryl A. Wright
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